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HIGH COURT OF JUDICATURE CHHATTISGARH: BILASPUR

DIVISION BENCH

CORAM : HON'BLE SHRI S.R. NAYAK, CJ
& HON'BLE SHRI, SATISH K. AGNIHOTRI, J.

W.P. No.1493 of 2000

PETITIONER Gopal Prasad Shrivas,
S/o Shri Murtiras Shrivas,
Aged about 44 years, Forester,
(Forest Department) Resident of Shakti
Distt. Janjgeer, Champa, (M.P.)

VERSUS

RESPONDENTS

1. State of Madhya Pradesh,
Through Secretary Forest Depatt.
Bhopal (M.P.)
2. Conservator of Forest,
Circle Bastar (M.P.)
3. Conservator of Forest,
Circle Bilaspur (M.P.)
4. Ghanshyam Singh Thakur,
Deputy Ranger, Forest Circle
Bilaspur, Distt. Bilaspur

Present : Shri M.K. Baig, learned counsel for the petitioner.
Shri Utkarsh Verma, learned Dy. G.A. for the State.

ORAL ORDER
(Passed on 6th October, 2006)

The following oral order of the Court was passed by

S.R. NAYAK, CJ .

The petitioner by instituting O.A. No. 315 of 1999 in the year 1999 before the Madhya Pradesh State Administrative Tribunal, Jabalpur Bench (for short "the Tribunal") sought promotion to the post of Deputy Ranger w.e.f. 24-11-1987 the date on which his immediate junior was promoted. The Tribunal has rejected the application on the ground of limitation, delay and latches without going into the merits of the matter. The question for our consideration is whether the Tribunal is justified in

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rejecting the application in *limine* on the ground of delay and latches and being barred by limitation. We are of the considered opinion that what has been done by the Tribunal, in the facts and circumstances of the case, is fully justified and there is no warrant for our interference.

(2) It is well settled that in the matters of recruitment and promotion, the aggrieved parties are expected the air their grievance without much loss of time. If the Tribunal or the Court were to review an administrative action taken in the year 1987 promoting the petitioner's immediate junior to the post of Deputy Ranger and upset the promotion, it would unsettle the settled matter. The only submission made by learned counsel for the petitioner in the course of arguments was that his client was making repeated representations to the department to grant him promotion. Even assuming that such representations were made to the department, that would not be a justification for the Court or the Tribunal to grant relief to the petitioner at this distance of time upsetting the settle matters, and such an action would not be conducive to smooth administration of the department. It would create chaos. Furthermore, it needs to be noticed that making repeated representations to an authority is not a justification for an aggrieved party to sleep over his right and for not taking legal steps for redressal of his grievances before the jurisdictional Court or the Judicial Forum, as the case may be. Looking from any angle, we do not find any reason to take any exception to the view taken by the Tribunal. The writ petition is, therefore, dismissed. No costs.

Sd/-
Chief Justice

Sd/-
Satish K. Agnihotri
Judge